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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,565	06/28/2001	Tomoko Terakado	450100-03299	5357

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EXAMINER

PARRY, CHRISTOPHER L

ART UNIT PAPER NUMBER

2614

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/894,565

Applicant(s)

TERAKADO ET AL.

Examiner

Chris Parry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 10-12, filed September 28, 2005, with respect to the rejection(s) of claim(s) 1-25 under 35 U.S.C. § 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference which teaches the use of a control apparatus comprising a touch sensitive LCD screen.
2. The examiner notes the features of the Official Notice are taken to be admitted prior art because the applicant failed to traverse the examiner's assertion of Official Notice for Claims 11 and 23.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-13 and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koninklijke Philips Electronics "Philips" (WO 00/28436) in view of Van Ee et al. "Van Ee" (U.S. 6,848,104).

Regards to Claim 1, Philips teaches, "a control apparatus comprising, at least, a display screen... said control apparatus operating a predetermined electronic apparatus" by disclosing the use of a programmable universal remote controller 322;

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which comprises a high resolution LCD screen (page 9, lines 14-16). Further disclosed in figure 3, is universal programmable remote controller 322 is used to control TV 308, VCR 310, or DVD 324 attached to home network 316. Philips teaches "a first server for communicating with said control apparatus, said first server being connected or linked to a plurality of electronic apparatuses" by disclosing the use of PC 320 or "first server" which is shown connected to a plurality of electronic apparatuses on home network 316 in figure 3. Philips teaches "a second server for establishing a connection with said first server by a network" by disclosing server 126 or "second server" in figure 3. Philips teaches "wherein said control apparatus changes settings of at least one of GUI data, internal processing data, and display data, which are contained in said control apparatus, based on at least one of GUI data, internal processing data, and display data, which are stored or designated by said first server" by disclosing in figure 3, PC 320 or "first server" is connected to server 126 or "second server". Further taught by Philips is the service provider creates a data base for the GUI of universal programmable remote controller 322 and the data base is transferred from server 126 or "second server" to PC 320 or "first server" from where remote controller 322 can be programmed (page 11, line 34 – page 12, line 6). Philips fails to disclose whether the universal programmable remote controller device 322 has a display screen that can also be used as a touch panel. In a related art pertaining to video distribution, Van Ee discloses implementing mechanisms can be portable, semi-portable or of a fixed location, moreover implementing mechanisms can be realized as a remote control (Col. 7, lines 62-65). Further, implementing mechanism 100 comprises input facilities 106

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which may be combined with screen 108 in such a way that user selections can be activated by touching the screen 108 (e.g., a touch-sensitive LCD) (Col. 21, lines 14-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Philips with the teachings of Van Ee in order to implement a remote control with a display screen that can be used as a touch panel for the benefit of providing the user with the option of selecting personalized icons presented on display with a simple touch to the screen.

As for Claim 2, Philips teaches, "control apparatus comprises a remote control" by disclosing in figure 3, remote control device 322 as the "control apparatus".

As for Claim 3, Philips teaches, "wherein the network comprises the Internet" by disclosing in figure 3 the use of Internet 118 to connect PC 320 or "first server" to server 126 or "second server".

As for Claim 4, Philips teaches "wherein the electronic apparatuses comprise home appliances and audio-visual apparatuses" by disclosing in figure 3 TV 308, VCR 310, and DVD 324 are connected to PC 320 or "first server".

As for Claim 5, Philips teaches "wherein the display screen of said control apparatus comprises a liquid crystal display screen" by disclosing the use of programmable universal remote controller 322, which comprises a high resolution LCD screen (page 9, lines 14-16).

As for Claim 6, Philips teaches "wherein said first server receives information recorded by said second server through the network; and said first server transfers the received information to said control apparatus using wired or wireless communications"

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by disclosing in figure 3, PC 320 or “first server” receives information from server 126 or “second server” through home network 316 and PC 320 sends information to universal programmable remote controller 322 (page 11, line 31 – page 12, line 6). Philips further teaches the user’s universal programmable remote controller [322] is capable of communicating through two-way IR, RF, 1394, and USB (page 12, lines 21-22).

As for Claim 7, Philips fails to define the data communicated through out the client-server system to be meta-data. Dictionary.com defines meta-data to be definitional data that provides information about or documentation of other data managed within an application or environment. For example, meta-data may include descriptive information about the context, quality, and condition, or characteristics of the data. Although Philips does not define the data communicated through the remote controller 322 to PC 320 to server 126 to be meta-data, by definition meta-data is communicated throughout system 300.

As for Claim 8, Philips teaches “wherein said first server includes control data for the electronic apparatuses and said control apparatus receives the control data for a specific electronic apparatus from said first server and uses the data as the internal processing data” by disclosing PC 320 or “first server”, monitors home network 316 and controls data of devices linked to home network 316. Universal programmable remote controller device 322, receives the control data for a specific electronic apparatus from PC 320, and universal programmable remote controller device 322 uses this data as the internal processing data (page 11, line 29 – page 12, line 13).

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As for Claim 9, Philips teaches "wherein said first server downloads the control data from said second server" by disclosing figure 3, which shows server 126 connected via Internet 118 to PC 320. Server 126 determines which software components are necessary for end user's network 302 (page 10, lines 18-19 and page 12, lines 4-6).

As for Claim 10, Philips fails to disclose whether universal programmable remote controller device 322 has the display means for combining the control data for the electronic apparatuses and displaying the combined data. In a related art pertaining to video distribution, Van Ee discloses in figure 3, screen 300 of implementing mechanisms 100 which, displays in lower area 302, grouped tasking objects 313/315 that corresponds to a respective environmental device, including a TV, a VCR, a DVD, and a CD (col. 22, lines 58-67). Further, macro objects 323 in lower area 302, if selected correspond to functions such as PLAY MOVIE, PLAY CD ROMANTIC, and DISHWASHER NORMAL macros (Col. 23, lines 13-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Philips with the teachings of Van Ee in order to implement a remote control with display means for combining the control data for the electronic apparatuses and displaying the combined data. One would have been motivated to implement a remote control with means to display both the control data and combined data to allow users to navigate easily between each electronic apparatuses.

As for Claim 11, Philips teaches "wherein said control apparatus downloads data received from said first server to the electronic apparatuses which are connected or linked to said first server" by disclosing server 126 determines which hardware or

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software components (applications/services) can be used on the end-user's network 302 given the user's profile, his/her preferences, and the profile of home network 302. If it has been decided that there is a match between profiles 306 as stored in data base 122 and one or more of the information items stored in data base 124, the user gets notified, e.g., via the Internet, of the option to obtain the feature for being added to his/her equipment. If the user accepts the offer, the feature, e.g., a software application or a content data service, is pre-configured for the user's system 302. For example, the control codes for UI, the IR an/or RF control codes, the software components, static graphics, animations, etc., are packaged (page 10, lines 18-27). Philips fails to teach whether the user initiates the download via control apparatus e.g., remote control. The examiner gives Official Notice that it is notoriously well known in the art of home networks, particularly with respect to remote controls, to facilitate user interaction with a home network through the use of a remote control. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Philips as to facilitate approval or disapproval of software or control updates through the use of a remote control.

As for Claim 12, Philips teaches "wherein the data includes data downloaded from said second server" by disclosing figure 3 which, shows server 126 or "second server", which contains the control codes for UI, the IR an/or RF control codes, the software components, static graphics, animations, etc., for electronic apparatuses connected to home network 316 via the Internet 118.



As for Claim 13, Philips teaches "wherein the data includes an electronic program guide" by disclosing in figure 3 which, shows EPG 312 connected to TV 308, which is connected to PC 320 via home network 316. Feature server 126 stores all data and features related to appliances on home network 316, including EPG data. According to Philips, electronic program guide (EPG) 312 can be installed on user's home network (page 11, lines 2-3).

Regarding Claim 15, Philips teaches "a control apparatus comprising, at least, a display screen....said first control apparatus operating a predetermined electronic apparatus" by disclosing the use of a programmable universal remote controller 322, which comprises a high resolution LCD screen (page 9, lines 14-16). Further disclosed in figure 3, is universal programmable remote controller 322 is used to control TV 308, VCR 310, or DVD 324 attached to home network 316. Philips teaches "a server for communicating with said control apparatus, said server being connected or linked to a plurality of electronic apparatuses" by disclosing the use of PC 320 or "first server" which is shown connected to home network 316 in figure 3. Philips teaches "wherein said control apparatus changes settings of at least one of GUI data, internal processing data, and display data, which are contained in said first control apparatus, based on at least one of GUI data, internal processing data, and display data, which are stored or designated by said second server" by disclosing service provider creates a data base for the GUI of universal programmable remote controller 322 and the data base is transferred from server 126 to PC 320 or "first server" from where remote controller 322 or "control apparatus" can be programmed (page 11, line 34 – page 12, line 6). Philips

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fails to teach whether universal programmable remote controller device 322 has a display screen that can also be used as a touch panel. In a related art pertaining to video distribution, Van Ee discloses implementing mechanisms can be portable, semi-portable or of a fixed location, moreover implementing mechanisms can be realized for example as a remote control (Col. 7, lines 62-65). Further, implementing mechanism 100 comprises input facilities 106 which may be combined with screen 108 in such a way that user selections can be activated by touching the screen 108 (e.g., a touch-sensitive LCD) (Col. 21, lines 14-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Philips with the teachings of Van Ee in order to implement a remote control with a display screen that can be used as a touch panel for the benefit of providing the user with the option of selecting personalized icons presented on display with a simple touch to the screen.

Considering Claim 16, the claimed elements of wherein said control apparatus comprises a remote control, corresponds with subject matter mentioned above in the rejection of claim 2, and is likewise treated.

Considering Claim 17, the claimed elements of wherein the electronic apparatuses comprise home appliances and audio-visual apparatuses, corresponds with subject matter mentioned above in the rejection of claim 4, and is likewise treated.

Considering Claim 18, the claimed elements of wherein the display screen of said control apparatus comprises a liquid crystal display screen, corresponds with subject matter mentioned above in the rejection of claim 5, and is likewise treated.

Considering Claim 19, the claimed elements of wherein said control apparatus transfers the information contained therein to said server using wired or wireless communications, corresponds with subject matter mentioned above in the rejection of claim 6, and is likewise treated.

Considering Claim 20, the claimed elements of wherein communication data communicated between said control apparatus and said server comprise meta-data, corresponds with subject matter mentioned above in the rejection of claim 7, and is likewise treated.

Considering Claim 21, the claimed elements of wherein said server includes control data for the electronic apparatuses and said control apparatus receives the control data for a specific electronic apparatus from said server and uses the data as the internal processing data, corresponds with subject matter mentioned above in the rejection of claim 8, and is likewise treated.

Considering Claim 22, the claimed elements of wherein said control apparatus further comprises display means for combining the control data for the electronic apparatuses and displaying the combined data, corresponds with subject matter mentioned above in the rejection of claim 10, and is likewise treated.

Considering Claim 23, the claimed elements of wherein said control apparatus downloads data received from said server to the electronic apparatuses which are connected or linked to said server, corresponds with subject matter mentioned above in the rejection of claim 11, and is likewise treated.

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Considering Claim 24, the claimed elements of wherein the data includes an electronic program guide, corresponds with subject matter mentioned above in the rejection of claim 13, and is likewise treated.

5. Claims 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips in view of Van Ee as applied to claims 1 and 15 above, and further in view of Hayes et al. "Hayes" (U.S. 6,781,518).

As for Claims 14 and 25, Philips as modified discloses PC 320 is linked to electronic apparatuses DVD 324, TV 308, and VCR 310 to form home network 316. Philips fails to disclose specifically using IEEE 1394 connection between PC 320 and the electronic apparatuses on home network 316. In a related art pertaining to video distribution, Hayes teaches the use of IEEE 1394 connection to connect entertainment equipment in figure 1A. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Philips and Van Ee with the teachings of Hayes in order to facilitate connecting the server to the electronic apparatuses on the home network using the IEEE 1394 standard connection. One would have been motivated to make this modification because the IEEE 1394 bus is commonly used to allow electronic appliances to communicate over a home network as determined by the HAVi standard (Hayes – Col. 3, lines 4-11).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The following patents are cited to further show the state of the art with respect to universal programmable remote controls and home networks:

U.S. Pat. No. 6,133,847 to Yang

U.S. Pat. No. 6,407,779 B1 to Herz

U.S. Pat. No. 6,828,992 B1 to Freeman et al.

U.S. Pat. No. 6,437,836 B1 to Huang et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiners Initials: \_\_\_\_\_  
October 18, 2005

CLP

  
Patent Examiner  
Art Unit 2614